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7 COLLEGES, INC., DAVID MOORE, and  
JACK D. MASSIMINO

8  
9 UNITED STATES DISTRICT COURT

10 CENTRAL DISTRICT OF CALIFORNIA, WESTERN DIVISION

11  
12 UNITED STATES OF AMERICA, EX  
REL. NYOKA LEE and TALALA  
13 MSHUJA,

14 Plaintiffs,

15 vs.

16 CORINTHIAN COLLEGES, INC., et  
al.,

17 Defendants.  
18  
19  
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Case No. CV 07-01984 PSG (MANx)

**DECLARATION OF BLANCA F.  
YOUNG IN SUPPORT OF SCHOOL  
DEFENDANTS' MOTION FOR  
SANCTIONS AND ATTORNEYS'  
FEES**

Judge: Honorable Philip S. Gutierrez  
Courtroom: 880

Date: June 10, 2013

Time: 1:30 p.m.

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22 **EXHIBIT 2 FILED UNDER SEAL FOR IN CAMERA REVIEW**

23 **PUBLIC VERSION**  
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**DECLARATION OF BLANCA F. YOUNG**

I, Blanca F. Young, hereby declare:

1. I am a partner in the law firm of Munger Tolles & Olson, LLP (“MTO”), lead counsel of record for Defendants Corinthian Colleges, Inc. (the “School”), David Moore, and Jack D. Massimino (collectively, the “School Defendants”). I am an attorney duly admitted to practice in the State of California and before this Court. I have personal knowledge of the matters set forth herein and if called upon to do so, I could and would testify competently thereto under oath.

2. MTO maintains active practices in litigation and corporate matters. The firm’s clients include many of the largest corporations in California and the nation, as well as other law firms and international corporations. MTO has earned a reputation for handling particularly complicated litigation matters, including multiple high-profile False Claims Act cases across the country.

3. The School Defendants seek compensation for the work of MTO attorneys and staff on this matter since February 25, 2009, the date when the complaint was unsealed in this case. Attached as **Exhibit 1** hereto is a summary of the hours worked and billing rates of MTO attorneys and staff members who have billed work on this case since February 25, 2009. The summary states by year, from 2009 to 2013, the number of hours spent and fees incurred by the attorneys and staff for work on this matter.

4. The summary has been prepared based on billing records that were prepared in keeping with the timekeeping and billing policies of MTO, with which I am familiar. Under those policies, a daily log is prepared by each attorney and staff member setting forth the work done that day for each client and matter, as well as the amount of time worked, in six minute increments. Those logs are entered into our computer billing system. Each attorney and staff member then reviews his or her entries to ensure accuracy. Monthly Billing Information Memoranda (“BIMs”) are generated showing all work done by all timekeepers for each client, organized

1 by matter. Each month as the bills were prepared, I reviewed the BIMs for this  
2 matter upon which the bills were prepared and sent to the School.

3 5. MTO's accounting department has prepared a compilation of all billing  
4 entries for work done on this matter from February 25, 2009 through March 18,  
5 2013 by attorneys and litigation staff for which the School Defendants seek  
6 compensation, as reflected in BIMs for this matter. Attached as **Exhibit 2** hereto is  
7 a true and correct copy of this compilation of entries, which was produced by MTO's  
8 accounting department working under my supervision.

9 6. MTO has billed the School \$1,037,812 in attorneys' fees and expenses  
10 on this matter since February 25, 2009. These fees were calculated by multiplying  
11 actual hours spent by each attorney and litigation staff member on this case by the  
12 billing rate for that attorney or staff member actually charged to the School at the  
13 time the work was performed, as set forth in Exhibit 2.

14 7. As reflected in Exhibits 1 and 2 hereto, the following MTO attorneys  
15 have billed time to this matter:

16 a. Brad D. Brian billed a limited amount of time to this matter from  
17 2009 to 2012. Mr. Brian graduated from Harvard Law School in 1977. He then  
18 served as a law clerk to Judge John J. Gibbons of the United States Court of Appeals  
19 for the Third Circuit. Mr. Brian is an MTO litigation partner of national prominence  
20 with extensive experience in False Claims Act litigation. He is, among other things,  
21 a Fellow in the American College of Trial Lawyers and served as chair of the ABA  
22 Litigation Section in 2005-2006. He has billed a limited number of hours to this  
23 matter at rates ranging from \$750 to \$925 per hour.

24 b. I have billed time to this matter from 2009 through 2013. I  
25 graduated from UCLA School of Law in 2001. After law school, I clerked for  
26 Judge William B. Shubb on the U.S. District Court for the Eastern District of  
27 California and then joined MTO. I became a partner at MTO in 2008. My practice  
28 focuses on complex litigation and I have litigated multiple False Claims Act cases in

1 federal courts around the country. I currently bill out at two hourly rates, \$710 and  
2 \$625 per hour. At all times relevant to this action, I have billed at the lower of my  
3 two hourly rates. The hourly rates I billed on this matter from 2009 to 2013 have  
4 ranged from \$500 to \$625.

5 c. Achyut J. Phadke, an MTO litigation associate, has billed time to  
6 this matter in 2012 and 2013. He graduated from Stanford Law School in 2008.  
7 Following law school, he clerked for Judge Pamela Ann Rymer on the United States  
8 Court of Appeals for the Ninth Circuit. Prior to joining MTO in 2012, he worked as  
9 a litigation associate at Sullivan & Cromwell LLP. He has billed on this matter in  
10 2012 and 2013 at hourly rates of \$495 and \$500.

11 d. Richard C. Chen, a former MTO litigation associate, billed a  
12 limited amount of time to this case in 2012 at a rate of \$445 per hour. Mr. Chen  
13 graduated from Harvard Law School in 2009. Following law school, he clerked for  
14 Judge Raymond C. Fisher on the United States Court of Appeals for the Ninth  
15 Circuit before joining MTO.

16 e. Heather E. Takahashi, an MTO litigation associate, billed a  
17 limited amount of time on this case from 2009 through 2011. She graduated from  
18 Columbia University School of Law in 2006. After law school, she clerked for  
19 Judge Richard J. Holwell on the United States District Court for the Southern  
20 District of New York before joining MTO. Ms. Takahashi billed time on this matter  
21 in 2009 through 2011 at rates ranging from \$350 to \$460 per hour.

22 f. Eric Kananen, an MTO staff counsel, billed less than one hour of  
23 time to this matter in 2012, at a rate of \$320 per hour.

24 8. As lead attorney on this matter, I have made significant efforts to  
25 ensure that attorney staffing and work in this case has been efficient and not  
26 duplicative. Other than a brief period in 2012 when Mr. Chen was transitioning off  
27 of this case and Mr. Phadke began to work on this case, only one associate has  
28 assisted with this matter at all times. Similarly, Mr. Brian's involvement in this case

1 has been limited to high-level strategic consultation, and he has billed a total of less  
2 than 10 hours of billable time to this matter after February 25, 2009.

3 9. As reflected in Exhibit 1 and 2 hereto, MTO litigation staff assisting  
4 counsel have billed at rates ranging from \$65 to \$265 per hour on this case. Billing  
5 rates for litigation staff are set commensurate with staff members' training, skill, and  
6 experience.

7 10. MTO sets its rates on a firm-wide basis and does not distinguish  
8 between rates for attorneys working in Los Angeles and attorneys who practice out  
9 of its San Francisco office. The attorneys who billed time to this matter included  
10 attorneys resident in the Los Angeles office, such as Mr. Brian, Ms. Takahashi, and  
11 Mr. Chen, and attorneys resident in the San Francisco office, such as me and Mr.  
12 Phadke.

13 11. I am generally familiar with the billing rates of attorneys and litigation  
14 staff at peer Los Angeles firms specializing in complex commercial litigation during  
15 the pendency of this case. Based on that familiarity, I am informed and believe that  
16 the foregoing rates are reasonable and consistent with, or lower than, prevailing  
17 market rates at peer firms.

18 12. Published data from 2011 and 2012 public filings—as reflected in  
19 Valeo Partners Attorney Hourly Rates and Fees Database of billing rates of  
20 California attorneys at comparable firms—confirms that the foregoing rates are  
21 consistent and competitive with prevailing market rates. The Valeo Partners data  
22 lists the rates of individual attorneys as collected from publicly filed documents like  
23 fee requests (and therefore only contains a sampling of lawyers from each firm).  
24 Attached as **Exhibit 3** is a true and correct summary report of partner and associate  
25 billing rates at these firms prepared from the Valeo Partners data collected from the  
26 database on April 16, 2013. As reflected in Exhibit 3, senior partners with a law  
27 school graduation year of 1990 or before billed at hourly rates ranging between  
28 \$788 to \$1035. Partners (or, where no partner data is available, associates) with

1 graduation years between 2000 and 2002 billed at hourly rates ranging between  
2 \$640 to \$920 per hour. Associates graduating in 2008 billed at ranges between \$430  
3 and \$625, and associates graduating in 2009 billed at ranges between \$420 and  
4 \$620. The rates charged by MTO for attorneys at similar seniority levels fall within  
5 these ranges.

6 I declare under penalty of perjury under the laws of the United States of  
7 America that the foregoing is true and correct.

8 Executed on April 18, 2013, at San Francisco, California.

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11 */s/ Blanca F. Young*

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